



August 2009

# FBI Law Enforcement Bulletin



## International Counterterrorism Forum



August 2009  
Volume 78  
Number 8

United States  
Department of Justice  
Federal Bureau of Investigation  
Washington, DC 20535-0001

Robert S. Mueller III  
Director

Contributors' opinions and statements should not be considered an endorsement by the FBI for any policy, program, or service.

The attorney general has determined that the publication of this periodical is necessary in the transaction of the public business required by law. Use of funds for printing this periodical has been approved by the director of the Office of Management and Budget.

The *FBI Law Enforcement Bulletin* (ISSN-0014-5688) is published monthly by the Federal Bureau of Investigation, 935 Pennsylvania Avenue, N.W., Washington, D.C. 20535-0001. Periodicals postage paid at Washington, D.C., and additional mailing offices. Postmaster: Send address changes to Editor, *FBI Law Enforcement Bulletin*, FBI Academy, Hall of Honor, Quantico, VA 22135.

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# FBI Law Enforcement Bulletin

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# *Valuable Lessons Learned at an International Counterterrorism Forum*

By JOSEPH T. AIREY, M.A.



Governments generally agree that global terrorism presents the primary international security concern of the 21st century. Terrorist groups have become increasingly transnational in scope. Consequently, highly trained specialists across the globe must work together to ensure the success of present and future counterterrorism efforts.

Developing and sharing ideas, perspectives, and experiences at a personal level enhance cooperation. To this end, international collaboration among terrorism and security specialists represents the hallmark of the George C. Marshall Center (GCMC), which includes the College of International and Security Studies.<sup>1</sup> As a partnership between the

United States and Germany, this world-class educational venue strives to develop and enhance subject-matter expertise in the field of transnational terrorism. Since its inauguration on June 5, 1993, the GCMC has strived to “create a more stable security environment by advancing democratic institutions and relationships, especially in the field of defense; promoting

active, peaceful security cooperation; and enhancing enduring partnerships among the nations of North America, Europe, and Eurasia.”

For its May 23 to June 27, 2008, Program on Terrorism and Security Studies (PTSS 08-5), the GCMC hosted government representatives from 40 different countries, ranging from Afghanistan to Uzbekistan. The eight attendees from the United States included three FBI counterterrorism supervisors. PTSS 08-5 involved presentations on specific counterterrorism topics—at various times in English, French, and German with simultaneous translation into English and Russian—by internationally known academics, authors, and practitioners. Small group discussions and daily reading

assignments further enriched students’ learning of these subjects. And, special guests, including Ronald Noble, secretary general of Interpol, and Admiral Michael Mullen, chairman of the joint chiefs of staff, spoke at the GCMC.

PTSS 08-5 goals and objectives involved defining terrorism, including broad concepts, history, evolution, and future considerations; understanding the function of domestic and international legal tools and their application to counterterrorism; examining the global financing of terrorist groups and activities; studying the purpose of diplomacy and international cooperation in addressing the global threat; and evaluating the expanding role of homeland security in both preventing and responding to

terrorism. As a highlight of the program, a weeklong field study in Paris, France, gave participants the opportunity to interact with ministerial-level French counterterrorism specialists and study their evolving model.

Overall, the program helped establish valuable relationships among the students. Further, it offered them fresh perspectives from a diverse range of experts who taught many important lessons pertaining to the global terrorist threat and how best to respond to it. The author shares a summary of what he gained from participating in this unique forum.

### **Terrorism Defined**

PTSS 08-5 began with a discussion conducted by James Q. Roberts, deputy director of the GCMC, in which he identified five types of terrorists, including anarchists, nihilists, state sponsors, Westphalians (secessionists), and caliphists. Participants generally agreed on the difficulty of identifying an internationally acceptable definition of terrorism because of the diverse political, social, and religious sensibilities. Muslims constituted a significant portion of the students, and a number expressed concern that Western countries unfairly tie Islam to these violent acts. However, students largely concurred that the direction of violence against



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innocents represents an essential element of terrorism.

Group discussions indicated that examining the stated or perceived reasons for terrorist acts proves useful to effectively countering the global threat. Dr. Kenneth Duncan of the University of Scotland provided several examples of associated factors, including poverty, ignorance, revenge, religion, and psychosis. He further stated that through their acts of violence, terrorists strive to cause change through fear, draw others to the cause, and establish or retain relevance. Other reasons for terrorism were discussed, including societal complexities introduced by modernization and urbanization, politics, government action, and family ties to Islamic extremist groups.

Next, PTSS 08-5 addressed the psychological and theological foundations of modern terrorism. An expert from the University of East London argued that terrorists do not consist of psychopaths or sociopaths but rational actors and that the counterterrorism community needs to approach them as such. However, he also stated that the wide range of personality types involved in terrorist attacks, including suicide bombings, makes psychological identification nearly impossible.

Dr. Patrick Sookhdeo, an expert in the theology of

religious violence, discussed terrorism based upon theological orientation. He pointed out a number of motivations for terrorist acts, including territorial demands, perceived humiliation and intimidation, political intentions (e.g., declaring Muslim governments apostate or attacking those perceived to be friendly to the West), establishment of an Islamic state, or acts intended to initiate the apocalypse. Dr. Sookhdeo expressed the need to

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***...examining the stated or perceived reasons for terrorist acts proves useful to effectively countering the global threat.***

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develop an international strategy to counter the theological foundations of Islamic terrorism. He concluded by stating that the terrorist groups define themselves as Islamic and that the Muslim community needs to delegitimize the theology of these organizations.

Dr. Christopher Harmon, course director of the GCMC, summarized the discussion by stating that defeating terrorism in the 21st century requires

developing a global counterterrorism alliance with the capability to coordinate authorities and laws toward a well-established grand strategy. He also said that governments need to reserve the right to use force to defeat terrorist threats when necessary.

### **Terrorists and the Law**

During the 1920s, interstate gangs in the United States used the mobility of the automobile and the jurisdictional limitations between states to avoid prosecution for their criminal acts. They ultimately were defeated by the establishment of federal laws and the development of multijurisdictional cooperation between law enforcement agencies. Modern terrorist groups present a similar challenge on an international scale. According to one expert, modern terrorist organizations often are loose-knit global entities that ignore geographic boundaries and use differences in domestic laws to establish safe havens. He stressed the need for an expanded transnational approach to the criminalization of activities that occur across international boundaries, thus creating a global obligation to prosecute or extradite terrorist actors.

Captain Dean Dwigans of the U.S. Navy, a professor of international law, discussed the need to retain the rule of law in response to terrorism to



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maintain the distinction between the lawful state and the terrorists. Captain Dwigans reviewed the structure of domestic terrorism law, which centers on the rights of the individual, and international law, which addresses those of society and includes self-defense. A detailed evaluation commenced concerning international treaties related to terrorism, most of which specifically address terrorist acts directed at commercial aircraft, watercraft, or nuclear materials. Dr. Richard Burchill from the University of Hull reiterated the importance of establishing an international legal definition of terrorism to facilitate a commonality of laws among nations.

### Terrorist Funding

With the conclusion of the module on the law, a detailed

discussion began of the financing of global terrorism. Dr. Harmon, noting the growing international interest in the field of terrorist funding, proposed that terrorism costs money, as well as generates funds, and that financing takes place through a variety of diverse methods (both legal and illegal) that elude any easy means of control. Dr. Celina Realuyo, an assistant professor of terrorism at the National Defense University, further described the importance of the issue, reminding the participants that every terrorist activity involves financial transactions. Dr. Realuyo explained the need for international governments to employ law enforcement, intelligence, designations and asset freezes, and private and government partnerships to cooperatively deny terrorists and their supporters financial sources.

Dr. Matthew Levitt, Johns Hopkins University, discussed the importance of restricting the financial operating environment of terrorists. He emphasized actions designed to cause these groups to use slower, less efficient means of funding, as well as the need to address nontraditional methods of international finance, including the hawala informal money transfer system.<sup>2</sup> PTSS 08-5 representatives from several countries described the pervasive nature of the hawala system in their respective nations and explained the difficulty of implementing effective oversight or control.

Several presenters examined financial forensics in detail. For instance, Dr. Realuyo discussed the general nexus between terrorism and crime. Dr. John Sawicki, University of Duquesne, facilitated a discussion regarding the financial activities of terrorist organizations, including money obtained or distributed through global investments, private donors, criminal activities, and nongovernment organizations.

### International Cooperation

Discussions ensued concerning international cooperation on two levels—the public, or diplomatic, and the confidential, or international and interagency—in addressing the threat of global terrorism.



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Dr. Sebastian Gorka, an expert on issues of national security, terrorism, and democratization, presented the threat of transnational terrorist groups exploiting weak neighbor states, the response to which necessitates flexible, agile, interagency cooperation within and among nations. He expressed concern that while today's terrorist groups have changed their organizational structure from the classic pyramid to a series of self-sufficient cells, the modern response to terrorism still is based on the interagency division of labor developed during the Cold War. Dr. Gorka stressed the need to address national security in a flat, flexible international manner and his belief that the sharing of intelligence will help ensure future success.

Dr. John Le Beau, professor of national security studies at the GCMC, furthered the discussion of intelligence as it relates to international cooperation. Noting that valuable intelligence is reliable, detailed, and actionable, he stressed the importance of rapid analysis and distribution to relevant parties, both internal and international. Further, as cultural perspectives often influence intelligence, Dr. Le Beau emphasized the importance of mature international relationships to facilitate effective intelligence sharing and, as an illustration, provided the

example of the Alliance Base, a counterterrorism intelligence center established in Paris in 2002. Chaired by France and including additional representatives from the United Kingdom, Germany, Canada, Australia, and the United States, the Alliance Base facilitates intelligence exchange and, in some cases, international operational planning. Dr. Le Beau stressed

***“...terrorists strive to cause change through fear, draw others to the cause, and establish or retain relevance.”***

the importance of personal relationships, compatible communications, physical proximity, and nonbureaucratic structure in developing effective intelligence collaboration.

Participants discussed in great detail the practicality of international cooperation with respect to intelligence sharing, especially the fundamental need to have similar views on terrorism. Students pointed out that countries often have different opinions on these issues, which can result in an apparent double

standard. In this regard, some governments may consider a particular group a terrorist one, but others may not, thereby, perhaps, providing the organization a safe haven.

Dr. Mary Ann Peters, former U.S. ambassador to Bangladesh and dean of the GCMC College of International and Security Studies, spoke about diplomacy as a tool of international cooperation in addressing terrorism. She expressed the opinion that because terrorism takes place within the international political arena, it requires a diplomatic response. Addressing the need for an international consensus on what constitutes terrorism, Dr. Peters quoted Kofi Annan, “no cause whatsoever justifies the targeting of civilians.” When used in the fight against terrorism, diplomacy can take several forms: economic (aid or sanctions), public opinion, visa/travel/immigration policy, military (threat of action), and coercive (use of military action). Dr. Peters described the difficulties in applying diplomacy, including differences in national politics and economics, lack of trust, historical relations, and internal conditions. In summary, she opined that diplomacy is the preferred tool in the counterterrorism effort when a threat is not imminent.

Professor James Wither, an ex-British army officer with

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extensive experience dealing with the Irish Republican Army (IRA) in Northern Ireland, further discussed the practical application of diplomacy to the counterterrorism effort. He presented overt and covert dialogue as a practical alternative to armed struggle, given the appropriate circumstances. Specifically, governments can use dialogue and negotiations to address tangible issues and effect commitments and concessions from the terrorist actors. However, diplomatic efforts present a significant risk as such activities can provide a terrorist organization with an unintended degree of international legitimacy while possibly giving it time to regroup and rearm.

Further, Professor Wither stressed the need to study and evaluate the typology of the terrorist group to determine whether dialogue or negotiations are strategically warranted. He presented three types of terrorists: contingent, having clear political objectives; total absolute, holding to an apocalyptic vision that defies negotiation; and conditional absolute, using absolute methods but having tangible political objectives.<sup>3</sup> According to Professor Wither, contingent and conditional absolute terrorist groups may be subject to successful dialogue. He provided practical examples, including the Provisional Irish

Republican Army (PIRA), the African National Council (ANC), and the Tamil Ligers (LTTE).

Participants discussed negotiation with nontraditional terrorist groups, such as al Qaeda. They noted that extremist ideology typically allows no prospect for dialogue or negotiation. In addition, loosely networked groups lack the central leadership needed

***Participants discussed...the fundamental need to have similar views on terrorism.***

for successful communication. Professor Wither suggested that dialogue and negotiation possibly could be used to support organizational disintegration by identifying groups with local objectives and, through negotiation, breaking them from the overall movement.

The PTSS 08-5 module on international cooperation concluded with a presentation by Dr. Sharyl Cross, a professor of international security studies at the GCMC. She emphasized the need to characterize the

international counterterrorism effort as a battle of ideas, not a religious clash between Islam and the West. She further stressed the importance of a masterful use of the media, especially the Internet, to counter the terrorist agenda and recommended the development of closer diplomatic relationships with Muslim nations to engage them in the effort to discredit the extremist agenda.

### **Homeland Security**

The final academic module of PTSS 08-5 concerned the expanding role of homeland security in the counterterrorism mission. The discussion focused on understanding homeland security functions and responsibilities. Professor William Parrish, Virginia Commonwealth University, began by presenting the U.S. National Strategy for Homeland Security. Critical mission areas discussed included intelligence, border security, critical infrastructure protection, defense against catastrophic threats, and emergency preparedness and response.

A number of specialists and practitioners in the field of disaster response and mitigation addressed the emerging importance of homeland security. Peter Lauwe from the German Office of Civil Protection and Disaster Assistance presented a case study on homeland security



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planning. He described civil protection as a pillar of homeland security and stressed the importance of all-hazard and all-threat planning. He cited the role of the German intelligence services, especially the Federal Criminal Police, in the German homeland security planning cycle.

Edward J. Gabrel, a retired assistant chief from the New York City Fire Department, provided an overview of the development of urban planning and preparedness in the city. He presented not only firsthand experiences from the 1993 World Trade Center bombings, which served as the catalyst for the development of the New York Office of Emergency Management, but also from the September 11, 2001, attacks. He detailed planning priorities, including immediate response (e.g., police, fire, EMS), hospital preparedness, addressing the loss of utilities and disruption of transportation, media coordination, environmental testing, human services, and legal considerations.

The module also explored issues related to infrastructure protection and weapons of mass destruction. Dr. Terry Hallmark, an expert in political risk and policy assessment, addressed oil security as it relates to terrorism, noting that oil is a soft strategic target at significant risk of attack. Keith Weston, a former

London Metropolitan Police official and associate professor at Cranfield University, provided a case study concerning the interagency response in the United Kingdom to a possible biological terrorist incident in the aftermath of the September 11, 2001, and anthrax attacks. Specifically, he discussed the difficulties in conducting joint law enforcement and military operations and the need for specialized training in dealing with the consequences of weapons of mass destruction threats or events.

A detailed discussion ensued concerning crisis management concepts. An incident affecting homeland security was presented as a national or international situation involving a threat to priority values, interests, or goals. Dr. John

Clarke, professor of leadership, management, and defense planning at the GCMC, spoke on the primary objectives of crisis management, including reduction of tension, avoidance of conflict through effective situation management, preparedness, containment, and learning from a crisis response. Many participants considered preparedness to effectively deal with the media during a crisis important. Officials need to carefully weigh their statements to and relationships with the media as this can influence the reputation of their government's decisions and actions. Dr. Clarke stressed the need to develop policies and relationships with the media *before* a crisis occurs. Further, he emphasized the importance of avoiding speculation or allocating blame, perhaps to an



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innocent party, during a crisis situation.

The module on homeland security concluded with a discussion of the emerging threat posed by cyber terrorists. According to Lieutenant Colonel John Kane, U.S. Marine Corps, the expanding dependence on computer technology in the management of critical infrastructure presents a significant global vulnerability. The success of governments in maintaining the integrity of increasingly complex computer networks may present the principal security challenge of the future.

### The French Model

A highlight of PTSS 08-5 was a weeklong field study to examine the French approach to counterterrorism. Students traveled from Germany to Paris on a high-speed rail link. Upon their arrival, they heard translated presentations, primarily at the historic Ecole Militaire (Military School).

M. Francis Delon, director, Secretariat General de la Defense Nationale (Secretariat-General for National Defense, or SGDN), made the keynote presentation. He stressed that the French model for counterterrorism had focused on dealing with the issue in the legal, judicial, and law enforcement arenas, with military action as

the final resort. However, the model has changed because al Qaeda's attacks around the world, along with their unprecedented violence and coordination, have increasingly threatened French interests at home and abroad. To counter this evolving threat, officials began developing a new counterterrorism model to increase national and international coordination and cooperation with respect to intelligence, assessment and analysis, and operations.

***...defeating terrorism in the 21st century requires developing a global...alliance with the capability to coordinate authorities and laws....***

The week in Paris featured presentations by officials from various agencies that are key to the French counterterrorism mission, including the Direction Generale de la Securite Exterieur (Directorate-General for External Security, or DGSE), Direction Generale de la Gendarmerie Nationale (Directorate-General of the National Gendarmerie, or DGGN),

Direction de la Surveillance du Territoire (Directorate of Territorial Surveillance, or DST), Unite de Coordination de la Lutte Anti-Terroriste (Antiterrorist Operational Coordination Unit, or UCLAT), Prefecture de Police de Paris (Paris Police Prefect), and the Pole de Lutte Contre la Grande Delinquance Financiere (French Economic Police). All described the changing nature of the threat from the post-World War II/ Cold War model of state-sponsored terrorists to modern transnational terrorism and the resulting evolution of their missions. Issues involving French counterterrorism doctrine were discussed, including the need to engage institutions that represent Islam to win the battle of ideas.

Two top officers spoke on the role of the DGGN, a French national police organization that represents a unique counterterrorism capability, able to blend law enforcement provisions, including investigative resources and power of arrest, with military tools and tactics, covering both internal and extraterritorial jurisdictions. A special operations section of the DGGN known as the Groupe d'Intervention de la Gendarmerie Nationale (National Gendarmerie Intervention Group, or GIGN), an elite counterterrorism and hostage rescue unit,



provided kinetic demonstrations for PTSS 08-5, including hostage rescue, diplomatic security, weapons of mass destruction response, and convoy protection.

Jean-Louis Burguiere, former lead French investigating magistrate in charge of counterterrorism matters, provided an intriguing overview of the French legal system with respect to counterterrorism law. He expressed a disagreement with the concept of a war on terrorism based upon its traditional definition, pointing out that because terrorists often are located in the middle of a civilian population, law enforcement needs to take precedence over the military in most cases. Upon questioning by a participant about the specifics of the French legal system in terrorist matters, Judge Burguiere explained that it is designed on a framework of specialized magistrates and prosecutors who deal exclusively with terrorism issues. The magistrates independently select the strategy of the investigation or prosecution based upon knowledge of the threat and the specific circumstances of the case. Under French law, the investigating magistrate has the power to hold a terrorist suspect for longer than many other countries while a case is being investigated to mitigate the threat to French security. The validity of information



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presented by either the prosecution or the defense is evaluated by the magistrate without disclosure of the source.

Based upon the model presented by Judge Burguiere, the French system appears to incorporate the capabilities of both a civil court and a military tribunal. Discussions with the PTSS 08-5 participants revealed that many of the represented countries are adopting similar judicial models for the prosecution of terrorist acts.

## Conclusion

By bringing together experts in counterterrorism and security, the GCMC offered a valuable forum that greatly enriched the knowledge and expertise of the graduates of PTSS 08-5. The author learned a variety of important counterterrorism lessons from experts from around the world.

Certainly, global terrorism presents a formidable security concern for everyone. However, future success in countering the threat can come from international cooperation among subject-matter experts. Legal, financial, diplomatic, and intelligence efforts can significantly curtail the ability of transnational terrorists to operate. With effective responses in place, people around the world can live in peace and safety. ♦

## Endnotes

<sup>1</sup> For additional information, see <http://www.marshallcenter.org/mcpublicweb/>.

<sup>2</sup> For additional information, see Dean Olson, "Financing Terror," *FBI Law Enforcement Bulletin*, February 2007, 1-5; and James Casey, "Dealing with Hawala: Informal Financial Centers in the Ethnic Community," *FBI Law Enforcement Bulletin*, February 2007, 10-14.

<sup>3</sup> I. William Zartman, *Negotiating with Terrorists (International Negotiation Series, 1)* (Leiden, The Netherlands: Martinus Nijhoff, 2005).

## Notable Speech



### ***Being a Peace Officer***

By Bill Cogbill

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I am honored to address the graduates, as well as their families and friends, and to recognize your accomplishment. I graduated from this academy as did my two sons. Both of them are police officers.

During this academy, you have learned the basics—criminal, civil, and procedural law; traffic enforcement; accident investigation; patrol tactics; defensive tactics; firearms; tactical communication; evidence collection; and investigations. You know the importance of keeping physically fit, mentally alert, morally straight, and prepared for the unknown or unexpected. You also have learned, and hopefully embraced, ethics, integrity, fairness, respect, justice, and compassion among other core values necessary to be a successful and professional peace officer.

As a peace officer, you will make a difference. You will save lives. You will put your own lives on the line for others. You will be that thin line between chaos and order. Without you, society would not function. Peace officers have been described in various ways, some very negative and others glowing. I prefer the definition “men and women of selfless courage and a nobility of purpose; one who serves and protects.”

With that type of job description, you have chosen a profession with a tremendous amount of responsibility. You must do the right thing for the right reasons, not in your best interest, but in the best interest of the community. Victims will be looking for you to help them and to make things

*Sheriff-Coroner Bill Cogbill,  
Sonoma County, California,  
Sheriff's Department,  
delivered this speech at the  
police academy graduation  
in December 2007.*





right. The community will expect you to hold criminals responsible within the law. Take that responsibility seriously because this is a very important job, but remember not to take yourself too seriously. Maintain a sense of humor and balance in your life as you will see, hear, and feel things that no one should, but someone must.

You should be proud of yourselves, and we should be proud of you. There are not many that can or will do this job. For every 100 who apply, only 1 or 2 will make it. So, why are you here? Did you always want to go into law enforcement? Or, was this a recent decision? Was it because you have a relative in law enforcement? Saw an episode of "CSI" on television? Or, was it simply because you thought you could help? This is a noble profession, but there are some who will dislike you for what you represent, not for who you

are. They will say and do things to discredit you or try and convince you not to do your job. But, being a good cop means you will rise above the adversity to serve and protect even those who may try to dishonor you and the profession.

A law enforcement agency cannot function without the public's trust and confidence. For over 157 years, California law enforcement has earned that trust and confidence. Now, it is up to you to continue the duty and tradition of your predecessors and current law enforcement officers. Earn the public's trust and confidence—honor the badge you wear, and be proud that you are among the finest society has to offer. In closing, the definition I used to describe peace officers, "men and women of selfless courage and a nobility of purpose; one who serves and protects," is in the dictionary—it describes the word *hero*. ♦

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# Peer-to-Peer Accountability

By JENNIFER BILLS, KE CHING-CHUNG, ROY HERINGER, and DAVE MANKIN

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*"There always is a conflict of loyalty when the actions of a colleague do not seem to be at the standard required by the duty of a professional. Yet, for a police officer to act according to duty in the instance of any unlawful action should be no different if the perpetrator is a member of the police service. 'When faced with malpractice by any officer, your duty is clear...there is no room for equivocation of any kind when you see wrongdoing by a police officer or when you obtain any other credible evidence of it.'"*<sup>1</sup>

Much of the literature about ethical leadership within the law enforcement profession focuses on modeling ethical behavior and making ethical decisions regarding policy and police practice. But, what about peer-to-peer accountability? Why do some officers speak up when they see a peer act inappropriately? What prevents others from doing so? Is the choice related to the circumstances surrounding the incident? Do they

fear conflict or retaliation? Has society created a culture that tolerates the small compromises everyone makes for the greater good to prevail?

For 24 hours a day, 7 days a week, law enforcement officers police their communities, enforcing laws, preserving the peace, and protecting lives. Whether in response to a call for service, an observation, or a tip from an informant, they maintain order in a complex and ever-changing society. In that



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process, however, they commonly deal with conflicts in which they have only limited information regarding underlying issues. Clearly, some duties prove dangerous while others are noncritical and low risk. At the end of a shift, regardless of the type or number of calls for service handled, officers have made several decisions that significantly impacted those with whom they came into contact.

### Decision Making

Officers weigh numerous variables and apply a measure of discretion prior to arriving at a final plan of action. This decision-making process can take as long as several minutes or as little as a fraction of a second. During this time, they likely will consider applicable federal, state, and local laws;

department policy; and last, but perhaps most important, their morals, which certainly influence their decisions.

Officers must be able to differentiate between ethical dilemmas (an occurrence that forces them to choose one core value over another, both having equal worth or importance<sup>2</sup>) and moral temptations (the considered option may violate their core ethical values; be a violation of law, policy, or custom; or cause them to think “this just does not feel right”). For example, two officers are assigned to a traffic detail enforcing the 25 mile-per-hour school zone. Twenty minutes later, they have stopped 12 vehicles and cited each driver. Then, one of the officers clocks a suspect vehicle at 40 miles per hour and motions the driver to pull over. The

driver is an off-duty fellow officer driving his child to school. The on-duty officer gives him a verbal warning, rather than a citation.

Were the officer’s actions justifiable? If stopped for speeding, would public officials hope for a warning or insist that the officer issue a citation? Officers sometimes do, in fact, give warnings to traffic violators. So, what, if anything, makes this situation unique? Such questions generate attention to the various potential and reasonable outcomes that might be available to the officer in resolving the enforcement action. Some might argue that the scenario places the officer issuing citations in an ethical dilemma. Does the public, moreover, the law enforcement agency itself, really expect its officers to cite



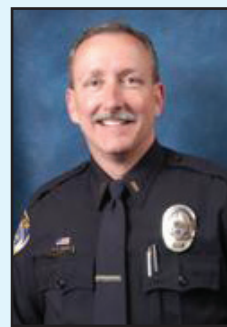
*Lieutenant Bills is the SWAT commander and the special operations lieutenant for the Eugene, Oregon, Police Department.*



*Police Brigadier General Ching-Chung, KE, is the Taiwan National Police Agency's executive police liaison officer to the United States.*



*Captain Heringer serves with the San Diego, California, Sheriff's Department.*



*Lieutenant Mankin serves with the Escondido, California, Police Department.*

off-duty ones for minor traffic violations? How might that affect esprit de corps among those sworn to protect not just the public but also each other? If the citing officer navigated through an ethical dilemma, then his choice to cite or not was “rooted in one of eight basic core values:

- truth versus loyalty: honesty or integrity versus commitment, responsibility, or promise keeping;
- individual versus community: us versus them, self versus others, or the smaller group versus the larger group;
- short-term versus long-term: immediate needs may conflict with future goals or prospects;
- justice versus mercy: fairness, equality, and even-handed application of the law conflict with compassion, empathy, and love.”<sup>3</sup>

Based on these choices, or ethical paradigms,<sup>4</sup> one most likely would assume the core values at odds are justice versus mercy. In this case, justice refers to upholding the law, and mercy means being compassionate and showing empathy. Making tough decisions or choosing one core value over another is not unique to the law enforcement community; most people face this on a daily basis.

Individuals may more easily resolve matters by differentiating those that truly rise to the level of ethical dilemma, as opposed to moral temptations. To that end, officers should ponder several questions. Is it against the law? Does it go against my moral principles rule base (does it create a “pit” in my stomach)? Would I want to see the results on the front page of the newspaper? If I were my mother, would

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***Officers must be able to differentiate between ethical dilemmas...and moral temptations....***

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I do it?<sup>5</sup> Further, officers should consider potential outcomes prior to coming to a final decision: do what is best for the greatest number of people; follow their highest sense of principle; and do what they want others to do to them.<sup>6</sup>

Therefore, in the speed-enforcement detail scenario, when the citing officer decided not to issue a citation to the off-duty one, he should ponder several questions. Was the act of not citing the off-duty officer

a criminal act or in violation of a departmental edict? Probably not, but some agencies are considering policy adjustments to address this issue. Would such a decision cause mental anguish on the part of the on-duty officer? Likely not because officers are permitted to use discretion when managing many types of enforcement activities. Would such an event, if published on the front page of the local newspaper, result in citizens’ surprise or disapproval? Possibly, but many would argue that the decision exercised a discretionary enforcement action. However, the public’s perception of officers gaining preferential treatment due to their profession erodes public trust. Finally, would his mother have done the same thing if placed in such a position? Perhaps, but this answer is inconclusive.

In this case, the on-duty officer could choose to follow up with the off-duty one regarding his lack of caution. He could discuss the awkwardness of the stop and the potential for other citizens to assert improprieties on the part of the officer or agency as a whole. Or, he could report the event to a supervisor. Furthermore, were others involved in the traffic-stop scenario (e.g., the second officer working the speed-enforcement detail) placed in an ethically compromising position? Will

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that officer question his coworker's actions? Clearly, the off-duty officer who was stopped committed a minor traffic violation, and many would argue that his actions needlessly placed innocent children simply walking to school in harm's way.

In another case, two officers were called to a home where a residential burglary had occurred earlier in the day. The residents were not at home, and the officers began clearing the house of potential suspects. While inside, one officer saw his partner walk past a bookshelf, pick up a small object, and put it in his pocket. Shortly thereafter, the witnessing officer asked his partner what he had retrieved from the bookshelf. He responded, "I didn't touch anything; what are you talking about?" Clearly, the officer rightfully confronted his partner, but his partner's response was incongruent with the observation. Is the witnessing officer now faced with an ethical dilemma or a moral temptation? Believing the accuracy of his observation, what options might the witnessing officer exercise? Should the offending officer admit wrongdoing and place the object back on the bookshelf? If so, does that eliminate the issue? The act of taking property that belongs to another is a criminal act. Therefore, the witnessing officer is

obligated to report the matter to his supervisor. However, some may argue that the law enforcement profession is affected by a subculture that unfortunately may influence the witnessing officer's decision to protect the actions of his partner.



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### Subculture

Literature regarding organizational and occupational cultures and subcultures exists, and such phrases as *the code*, *the code of silence*, and *the blue curtain* have emerged in recent years to describe rogue police subcultures. Regrettably, such negative subcultures can lead to the demise of individual officers, partners, teams, shifts, divisions, or, although rare, an entire department. Although it is important to know and study large failures, it proves just as critical to delve into acts of single officers. The law enforcement profession needs to

learn and teach the lessons of these acts, not hide them. All levels of agencies should know, understand, and address actions that could turn a positive police subculture into a negative one because corruption can occur at all ranks by both sworn and nonsworn members. To achieve accountability throughout organizations, members need to become more proactive in policing themselves internally.

Though the term *subculture* often may be derogatory in nature, it can prove positive as well. "The group solidarity formed in a police subculture can elevate morale through esprit de corps, and it can promote fellowship and mutual responsibility among those who share danger and stress."<sup>7</sup>

One renowned neurologist and psychiatrist advised that an existential vacuum developed in the 20th century, in part, by the diminishment of traditions that once created and molded officers' behavior.<sup>8</sup> "No instinct tells him what he has to do, and no tradition tells him what he ought to do; sometimes he does not even know what he wishes to do."<sup>9</sup> Those entering the law enforcement profession bring their traditions, faiths, and ethical and moral compasses. While assimilating into the culture, they exchange their individual identities for that of team members. They wear uniforms, often



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attend an academy away from their families and homes, and may be treated as new recruits who lack value until becoming sworn members of the force. As training continues, they are inculcated into the culture of their department and the profession. If officers lack a strong personal, traditional, or ethical basis, the custom of the department supplants theirs and becomes their core value. In this instance, the thin blue line is created.

With the advent of modern policing and the visible arena in which law enforcement now functions, the issue of ethical decision making has risen to the forefront. Several high-profile cases have garnered national attention and made the actions of law enforcement officers come into question and focus. One such incident involved presumably ethical officers not speaking up or not preventing a peer from seriously injuring a handcuffed suspect. When such a gross violation occurs and no one intervenes, it is not surprising that some officers let the minor transgressions go unaddressed. “The bottom line is, sometimes we cover for each other. For most of us, there is the realization that what happened was wrong. We see our behavior as a setback, not a victory. We analyze what went wrong and try to fix it before it happens again. But,

no matter how we feel or what we believe, we are judged by our actions, not our intentions, and the costs can be horrendous. When confronted with video camera footage or audio recordings, the code becomes a trap and the first cop to tell the truth is usually the only one to escape permanent damage.”<sup>10</sup>

“

***...research clearly indicates the need for contemporary law enforcement agencies to proactively engage in ethics training.***

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#### **Officer Survey**

Police and government agencies, public safety commissions, and scholars all have examined the issue of police misconduct. A common root or precursor of the topic eludes those seeking causation, solutions, and answers. To that end, the authors explored what role officers might play in self-policing the conduct of peers. They surveyed 136 command-level law enforcement personnel, representing agencies from the United States and 23 foreign countries, who responded to 11 hypothetical misconduct

scenarios.<sup>11</sup> The vignettes were scaled from minor to severe, and respondents had to determine if, as a peer officer, they would intervene, report the activity to a superior officer, or take enforcement action based on the misconduct observed.

Respondents were not prompted to consider potential disciplinary consequences, public opinion, or personal or professional feelings regarding the events, which mirrored those likely to occur in police organizations regardless of size or geographical location. The authors specifically chose situations that ranged from relatively minor transgressions involving a simple policy violation to felonious behavior. Interestingly, despite the nature of the misconduct, in none of the cases did all respondents unanimously record an answer wherein intervention would occur or the misconduct would be reported.

#### **Results**

Scenarios 2, 3, 8, and 9 simulated events where discretionary intervention may or may not have been warranted based on an officer's interpretation of the facts. Of the 136 total responses, 103 indicated in scenario number 2 that they probably or very likely would have intervened; 88 in 3; 105 in 8; and 16 in 9. But, even these cases imply conduct where coworkers

## Officer Survey

Regarding the following situations, as a line officer, please indicate how likely or unlikely you would intervene, report, or take enforcement action. (Answers to authors' survey are included.)

Scenario	Unlikely	Not Very Likely	Undecided	Probably Likely	Very Likely
You are sitting in the briefing room prior to the start of your shift when you hear an officer tell an off-color joke to another officer. Only the three of you are present.	23	22	27	40	24
You have been working with a particular coworker for several weeks when you notice he appears to initiate traffic stops on only teenaged Hispanic males.	6	8	21	54	49
You notice that one of your peers, a personal friend, makes a number of lengthy bar checks, without cover, several times a week. You also know he is experiencing marital problems.	3	12	33	53	35
You and some of your coworkers go to a local pub after work. You notice "Fred" consumed several more drinks than everyone else, but he assures you and others he is okay to drive home.	2	4	18	24	88
While approaching another officer conducting a traffic stop, you clearly hear him use profane language while talking to the sole occupant of the vehicle.	7	8	32	49	40
While conducting a preliminary residential burglary investigation, you notice another officer walk past a bookshelf, pick up a small object, and put it in his pocket.	4	2	1	8	121
You observe another officer hit a handcuffed arrestee out of frustration. Only the three of you are present.	3	4	9	24	94
You read a report created by one of your peers and notice obvious omissions of pertinent information.	3	6	22	46	59
You and a fellow officer are working a traffic detail to enforce the 25 mile-per-hour school zone. So far, the two of you have cited every vehicle stopped. Your coworker radars a suspect vehicle traveling 40 miles per hour and flags him over. The driver is an off-duty fellow officer. Your coworker gives the off-duty officer a warning.	67	29	24	9	7
You respond to an off-the-road, noninjury, solo vehicle accident on a remote roadway. You recognize that the driver, the sole occupant, is an off-duty officer from your agency and extremely intoxicated.	18	17	11	27	53
While walking into the station after your shift, you see one of your peers toss a small envelope in the parking lot trash can. As you walk by the trash can, you curiously take a look and see a legal-sized envelope folded in half with a slight bulge in the center. You retrieve the envelope, open it, and see what appears to be several grams of marijuana.	6	6	11	25	88

might engage in impropriety. Is it odd that peer police officers do not feel obligated to at least approach the offending officers and engage them in conversation that might prompt reflection or, at least, set the witnessing officer's mind at ease?

On the other hand, scenarios 1, 4 through 7, 10, and 11 incorporated an environment of obvious misconduct. A clear need to intervene would be expected in these situations, particularly when observing the on-duty peer criminal activity. Interestingly, respondents showed different points of view: 64 advised that they probably or very likely would have intervened in scenario 1; 112 in 4; 89 in 5; 129 in 6; 118 in 7; 80 in 10; and 113 in 11. The remaining in each case were either undecided or likely would not have intervened. Where misconduct was evident, one might clearly expect far greater, if not unanimous, numbers to appear in the very likely to respond category.

The authors' results are similar to those of a National Institute of Justice (NIJ) survey that polled 3,235 officers, representing 30 U.S. agencies, regarding their inclination to report misconduct as depicted in hypothetical scenarios.<sup>12</sup> The NIJ survey also varied severity of the misconduct from minor

to felonious activity. Results indicated "a majority of officers...would not report a fellow officer who engaged in...less serious misconduct."<sup>13</sup> On the other hand, they also found that "most police officers...would report a colleague who stole from a wallet found at a burglary scene."<sup>14</sup>

***All levels of agencies should know, understand, and address actions that could turn a positive police subculture into a negative one....***

Even in the NIJ survey, not all officers responded that they would report the felonious conduct. Such reluctance may be attributed to a tainted personal value system, the police subculture, or other barriers. Hence, research clearly indicates the need for contemporary law enforcement agencies to proactively engage in ethics training. Including ethical decision-making exercises where participation occurs throughout the agency likely would create an atmosphere of robust and enlightening discussion.

## Conclusion

Law enforcement officers must be able to distinguish ethical dilemmas from moral temptations. They have an obligation to confront peers they believe have committed a professional transgression. Such accountability clearly endures where perceived wrongdoing might question a fellow officer's integrity or tarnish the reputation of the respective agency or, worse, the entire profession.

Supervisors at all levels of an organization should uniformly train, stress, and enforce clear comprehension of the law and departmental policies, rules of conduct, and memoranda of understanding. Agencies must aggressively confront misconduct issues and vigorously educate personnel to avoid future impropriety at all levels. Peers, as well as supervisors, should remain vigilant about malfeasance, or pending actions of it, and have the fortitude to sway the person from such behavior. If the employee cannot be deterred from the misconduct, fellow officers always should report the situation. ♦

## Endnotes

<sup>1</sup> P. Haggard, *Police Ethics* (Lewiston, NY: The Edwin Mellen Press, 1994), 30.

<sup>2</sup> R. Kidder, *How Good People Make Tough Choices* (New York, NY: Simon and Schuster, 1995), 17 and 117.

<sup>3</sup> *Ibid.*, 18



<sup>4</sup> Ibid., 117.

<sup>5</sup> Ibid., 184.

<sup>6</sup> Ibid., 154.

<sup>7</sup> E. Meese and P. Ortmeier, *Leadership, Ethics, and Policing* (Upper Saddle River, NJ: Prentice Hall, 2004), 95.

<sup>8</sup> Viktor E. Frankl, *Man's Search for Meaning*, 5th ed. (Boston, MA: Beacon Press, 2006).

<sup>9</sup> Ibid., 106.

<sup>10</sup> M. Quinn, *Walking with the Devil* (Minneapolis, MN: Quinn and Associates, 2005), 19.

<sup>11</sup> The authors conducted their research while attending the FBI National Academy. The FBI hosts four 10-week sessions each year during which law enforcement executives from around the world come together to attend classes in various criminal justice subjects.

<sup>12</sup> Carl B. Klockars, Sanja Kutnjak Ivkovich, William E. Harver, and Maria R. Haberfeld, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, "The Measure of Police Integrity," (Washington, DC, May 2000); <http://www.ncjrs.gov/pdffiles1/nij/181465.pdf>.

<sup>13</sup> Ibid., 2.

<sup>14</sup> Ibid., 2.

## We Need Your E-mail Addresses

**T**he *FBI Law Enforcement Bulletin* has been available to our readers online since March 1990. We are excited to inform you of our plans to make our magazine more accessible as an online magazine. With the August 2009 issue, we began sending our readers e-mails announcing the latest edition and providing a direct link to the *FBI Law Enforcement Bulletin* on <http://www.fbi.gov>. There, you will be able to find the current edition, as well as previous editions of the *FBI Law Enforcement Bulletin* going back 10 years.

To receive these e-mails each month, please access <http://www.fbi.gov> and click on "Get FBI Alerts" at the upper right-hand corner of the FBI home page. Enter your e-mail address and select any monthly alerts you are interested in receiving, including the *FBI Law Enforcement Bulletin*. Once you have registered your e-mail address at <http://www.fbi.gov>, please contact us at [lebonline@fbiacademy.edu](mailto:lebonline@fbiacademy.edu) with your name, position, organization, and e-mail address, as well as any thoughts you might have on the magazine or this online e-mail announcement system. If you encounter any difficulties, please let us know by e-mailing us at [lebonline@fbiacademy.edu](mailto:lebonline@fbiacademy.edu).

We look forward to hearing from you at [lebonline@fbiacademy.edu](mailto:lebonline@fbiacademy.edu). Please continue to send comments, questions, or suggestions regarding articles to the *FBI Law Enforcement Bulletin* editors at [leb@fbiacademy.edu](mailto:leb@fbiacademy.edu).

Editor  
FBI Law Enforcement Bulletin

# Leadership Spotlight

## Diversity Trek

**W**hen I began contemplating the importance of workplace diversity for this article, I was not surprised that the television series “Star Trek” came to mind. Although not a proclaimed fan per se, I do appreciate the quality of the series and the way it provided a diverse setting for tackling tough issues. Also, I realized that calling upon “Star Trek” as an example of workplace diversity may appear a bit unconventional, but our ability to view or imagine scenes from the series can allow us to conceptualize diversity in a manner that words cannot easily replicate. Rather than spend time defending this approach, I offer some immediate thoughts.

First, the series scripted insurmountable challenges that could be tackled and overcome only by a diverse body of individuals who shared a similar goal but approached the situation differently based upon such factors as their unique heritages, life experiences, and values. Simply, leaders know how to harness diversity to achieve goals and maximize results.

Second, leaders must understand and foster diversity in the workplace. The series’ leaders peacefully focused their resources toward adding new and diverse members to their network for the betterment of all. They recognized that

their core strength was generated by the diversity of their members, similar to that of the United States. In other words, leaders seek to hire and build diverse teams for the betterment of the organization and its mission.

Finally, during numerous encounters throughout the series, true leaders must resolve to “lower their shields” to open clear channels for communication about diversity. With kindness, respect, and consideration, leaders need

# DIVERSITY

to be willing to listen and learn to better understand their employees’ similarities

and differences. Leaders must be willing to perform self-analysis as a component of overcoming their fears.

“Star Trek” creators clearly realized the power inspired by a diverse workforce where talents and individuality coalesce to form a full-spectrum approach to address problems and accomplish tasks. In today’s battle against ever-changing criminal and terrorist elements, leaders must understand that the need for diversity in the workplace never has been clearer. ♦

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*Christopher Lenhard, a member of the Leadership Development Institute at the FBI Academy, prepared this Leadership Spotlight.*

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# Focus on Investigations

## *The Major-Incident Quadrahedral One Method of Managing Investigations*

By John B. Edwards



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In the beginning of any major investigation, incident, or event, law enforcement managers find themselves in the unique position of making order from chaos. Often, much of the preliminary information is inaccurate, complicating the situation. Supervisors must act with the best information available and assign resources for efficiency and effectiveness. To bring organization and structure to this unsystematic environment, they must simultaneously coordinate four particular areas, known as the major-incident quadrahedral, ensuring that these realms produce the best conditions for overall case management.

### **Fact-Finding Considerations**

The fact-finding portion of the quadrahedral is comprised of leads management, interviews, and forensics. Investigative teams conduct specific-focus interviews based on evidence discovered upon arrival or leads developed shortly after that

time.<sup>1</sup> Additionally, they complete general-canvas interviews of individuals in the neighborhood and surrounding areas, as well as of victims' friends, families, and coworkers. General-canvas interviews create a framework of data to compare and contrast with specific-focus issues.

The forensics part of this realm bifurcates into the crime scene and digital information technologies. The crime scene deals with information from all sites if more than one is present. Investigators conduct an inventory to determine what is present (or not). This evolves into documentation of the entire scene and includes any connection with physical evidence present or in other places. Digital information technologies consist of real-time information regarding cell phones (e.g., locations, tracking data, phone numbers, subscriber and tower information, and alpha-beta-gamma directionality). Investigators need these critical details to compare and contrast with the information derived



## **Management Method**

### **Fact-Finding Considerations**

- Leads management
- Interview
  - Specific focus
  - General canvas
- Forensics
  - Crime scene
  - Digital information technologies

### **Resource Allocation**

- Personnel
- Logistics
- Communication
- Equipment

### **Stakeholder Factors**

- Victims
- Witnesses
- Officials
- Citizens

### **Media Issues**

- Structured area
- Insulation/security
- Tailored message
- Ongoing communications

of a large number of individuals as soon as possible. The logistics to support these people and the cooperation, communication, and coordination among them remain critical. Further, all those involved must have the equipment needed to conduct their duties. The facts of each case dictate resource management. Therefore, agencies should have proactive measures in place to confirm that the needed resources are available in the shortest period of time.

### **Stakeholder Factors**

Stakeholders (victims, witnesses, officials, and citizens) not only serve as a source of information but also as a group of individuals who either can cause problems or create support for investigators. Stakeholder management builds the environment and mind-set for successful case function. Moreover, it helps ensure that sensitive information does not become public and that media representatives receive appropriate, supervised access to incidents without impeding investigations. Law enforcement managers must assign certain personnel to contact, communicate with, and be available for all stakeholders. Doing so helps guarantee that the manager, rather than an outside source, handles any problems first.

### **Media Issues**

Media management represents the fourth realm of the major incident quadrilateral. On a daily basis, media representatives have to consider both their deadlines and the intensely competitive market in which they work.<sup>2</sup> During crises, they actively and aggressively pursue information to better inform the public. Therefore, law enforcement managers must have the resources to provide the media with a structured area to feel comfortable and secure. Conversely, they also must equip investigative teams and stakeholders with insulation and security from the media.

It also is the law enforcement manager's responsibility to ensure that the media receives narrowly tailored messages, guaranteeing that the

in the interview function. Finally, managers must ensure an effective leads-management system to process and document information efficiently and effectively.

### **Resource Allocation**

The resource section of the quadrilateral entails the manager's ability to govern personnel, logistics, communication, and equipment. Many times, major incidents demand the assignment

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successful resolution of the case always comes first and information that needs safeguarding is, in fact, kept confidential and does not appear in the public domain. Further, managers must establish ongoing communications with media representatives and give appropriate and meaningful information to them.

### Conclusion

The major incident quadrahedral serves as a sound method for law enforcement managers to employ. Simultaneous management of each of the four areas provides a structured format for organization during what often evolves into chaotic circumstances. The quadrahedral ensures proper focus and total coverage, creating an

environment to achieve the best possible results for the extraordinary responsibilities police managers inherit. ♦

### Endnotes

<sup>1</sup> For more information on specific-focus and general-canvas interviews, see John B. Edwards, "Homicide Investigative Strategies," *FBI Law Enforcement Bulletin*, January 2005, 11-13.

<sup>2</sup> For additional information, see James D. Sewell, "Working with the Media in Times of Crisis: Key Principles for Law Enforcement," *FBI Law Enforcement Bulletin*, March 2007, 1-6.

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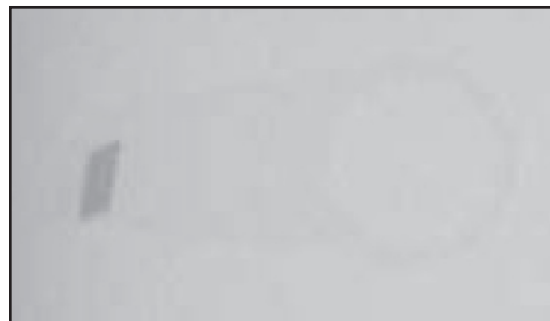
*Mr. Edwards recently retired as the special agent in charge of the Statesboro office of the Georgia Bureau of Investigation.*

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## Unusual Weapon

### *Plastic Finger Razor*

Offenders may attempt to use this plastic finger razor, which poses a serious threat to law enforcement officers. The device has a plastic housing with a metal blade.



### *Spectator Violence in Stadiums*

The U.S. Department of Justice's Office of Community Oriented Policing Services has developed a guide that addresses the problem of spectator violence in stadiums and other arena-type settings. Although some of the more than 360 stadiums and arenas in the United States share similar features, each is unique. Because law enforcement officials often must balance the interests of many different parties (e.g., performers who want audience participation and owners and vendors who wish to generate profits), policing crowds in stadiums can prove a difficult task. *Spectator Violence in Stadiums* begins with a discussion of the factors that contribute to such incidents. It then presents a list of questions to help local law enforcement agencies analyze problems of spectator violence within their jurisdictions. Finally, the guide reviews responses to the problem and what is known about them from evaluative research and police practice. The complete guide (NCJ 225077) is available at the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.org>.

### *Juvenile Suicide in Confinement*

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has published *Characteristics of Juvenile Suicide in Confinement*. This bulletin draws on data from the first national survey of suicides of youth in confinement. OJJDP awarded a contract to the National Center on Institutions and Alternatives to review juvenile suicides that occurred in confinement between 1995 and 1999. The survey gathered descriptive data on victim demographics, incident circumstances, and juvenile facility (detention and reception centers, training schools, ranches, camps, and farms) characteristics. The study identified 110 juvenile suicides occurring between 1995 and 1999 and analyzed 79 of them. Of these, 41.8 percent took place in training school/secure facilities, 36.7 percent in detention centers, 15.2 percent in residential treatment centers, and 6.3 percent in reception/diagnostic centers. Almost half (48.1 percent) of the suicides occurred in facilities administered by state agencies, 39.2 percent happened in county ones, and 12.7 percent were committed in private programs.

Findings from this study pose formidable challenges for juvenile correctional and health-care officials and their staffs. For example, although room confinement remains a standard procedure in most juvenile facilities, its potential consequences need to be weighed carefully. Moreover, because data show that suicides can happen at any time during confinement, a continuum of comprehensive suicide prevention services aimed at the collaborative identification, continued assessment, and safe management of juveniles at risk for harming themselves must occur. A more comprehensive account of the survey and its findings may be found in the online report "Juvenile Suicide in Confinement: A National Survey" at <http://www.ncjrs.gov/pdffiles1/ojjdp/213691.pdf>.



## *Training Academies*

*State and Local Law Enforcement Training Academies, 2006*, a Bureau of Justice Statistics (BJS) special report, presents findings from the 2006 BJS Census of Law Enforcement Training Academies, updating the results of the initial census conducted in 2002. The latest census included 648 academies providing basic training during 2006. The publication contains data on the number and type of training instructors; varieties of on- and off-site training facilities; operating expenditures; funding; basic training curriculum; and the number of instruction hours for each training topic. The report also includes the number and characteristics of recruits entering basic training and completion rates by race, gender, and type of training environment. Special topics include training related to terrorism and community policing.

Some highlights from the report revealed that basic training programs averaged 19 weeks in length. Topics with the most instruction time included firearms (median of 60 hours), self-defense (51 hours), health and fitness (46 hours), patrol procedures (40 hours), investigations (40 hours), emergency vehicle operations (40 hours), criminal law (36 hours), and basic first aid (24 hours). Of an estimated 57,000 recruits who entered basic training programs during 2005, 86 percent, or 49,000, successfully completed their program and graduated from the academy. Academies with a predominately nonstress, or academic, orientation (89 percent) had a higher completion rate than academies with a predominately stress, or paramilitary, orientation (80 percent). Links to the full-text report (NCJ 222987) can be found at the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.gov>.

## *African-American Adolescent Violence*

*The Code of the Street and African-American Adolescent Violence*, a National Institute of Justice (NIJ) Research in Brief, explores Yale University Professor Elijah Anderson's "code of the street" theory. During a 2-year period, researchers conducted repeated interviews with over 800 African-American adolescents (from 10 to 15 years of age) and their primary caregivers in Georgia and Iowa. They looked for developmental relationships between neighborhood and family characteristics, reported experiences with racial discrimination, expressed street-code values, and self-reported violent behavior in young people.

The results of this study generally support Anderson's original observation: the stress of living in a poor and violent environment can cause young people to adopt the code of the street as a lifestyle guide. This, in turn, is a powerful predictor of violent conduct, amplified by the effects of negative neighborhood characteristics. The research discussed in this NIJ report emphasizes the need to consider this theory in future studies within African-American households, neighborhoods, and communities. The complete report (NCJ 223509) can be accessed at the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.gov>.

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# ***Police Recruit Training Facilitating Learning Between the Academy and Field Training***

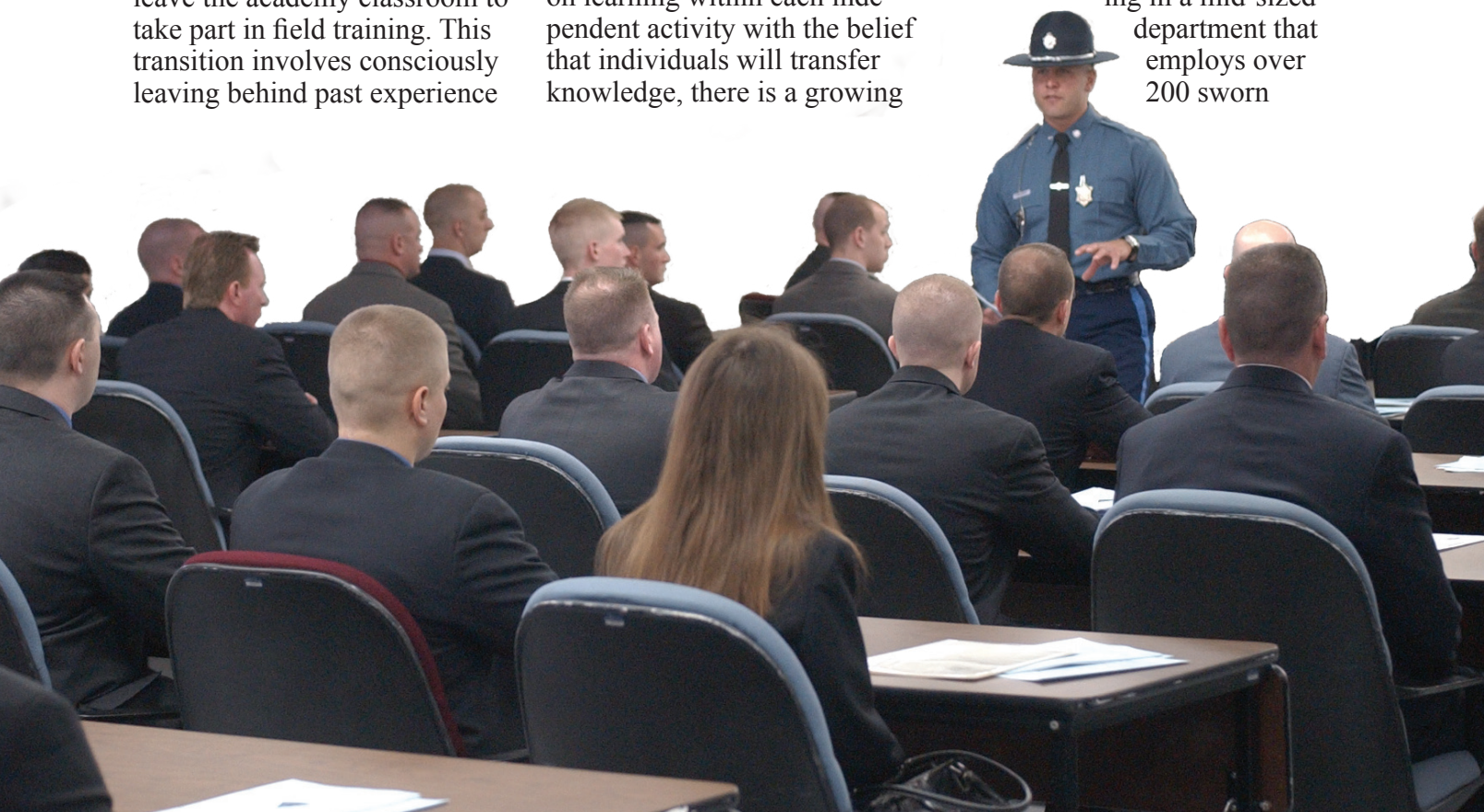
By STEVEN HUNDERSMARCK, Ph.D.

**P**olice recruit training occurs across multiple learning activities; it begins in the classroom and ends with hands-on field experience. Many assume that such training is both progressive and congruent. Within 6 to 8 months, cadets enter and leave the academy classroom to take part in field training. This transition involves consciously leaving behind past experience

and identity as a cadet, becoming part of a new organization, and building a new identity as an officer. Therefore, learning is not part of a linear process but, rather, must be extended across the academy and into field training. Although much of the related literature has focused on learning within each independent activity with the belief that individuals will transfer knowledge, there is a growing

awareness that organizations should concentrate more on how learning extends or generalizes across activities, as well as how to facilitate it.

The author gathered data from a study he conducted in Michigan in a regional police academy and during field training in a mid-sized department that employs over 200 sworn



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officers. He selected 10 cadets quasi-randomly based on their prior police experience and whether they were employed by a department before entering the academy. During the 16 weeks of classes, the author observed these participants and collected data from them during structured interviews at various points. He also interviewed academy personnel and instructors, attended a number of classes, and studied daily recruit life.

During the second phase of the research project, the author followed 2 of the original 10 recruits into the field training program. He rode with them and their training officers, recorded 13 hours of training discourse, and transcribed them into 49 pages of dialogue. He then coded the dialogue to determine if recruits and field training officers discussed academy learning and to establish what teaching techniques field training officers used to teach recruits.

### The Academy

The Michigan Commission on Law Enforcement Standards mandates a minimum-hour curriculum structured on individual standards for each academy in the state.<sup>1</sup> The emphasis of accountability and legal verifiability has resulted in a highly structured learning approach primarily dependent on a

traditional lecture-based method in the classroom. The regional academy in the author's research used a curriculum that exceeded Michigan's minimum requirements and consisted of 600 hours of mandated training over 16 weeks. Cadets who attended were either sponsored (prehired by a police agency) or nonsponsored (put themselves through the academy). While most classes consisted of a traditional lecture format, a portion of the curriculum, such as firearms proficiency, defensive tactics, first aid, driving strategies, and police scenarios, involved hands-on training. Recruits spent most of their time in the classroom taking notes and were tested each week to demonstrate aptitude and to verify their adherence to the

standards of training. Nearly all police academies practice this behaviorist style of learning<sup>2</sup> (an expert provides information in the form of lecture to students responsible for transferring classroom material to the field). Proponents of this method advocate its use based on the need for objective standards and legal accountability. Learning in the academy depends on lecture and less than 3 percent of basic training is spent on alternative forms of instruction, such as scenario-based training or application of skills.<sup>3</sup> "Ninety percent of police academy training is spent on task-oriented training."<sup>4</sup> Consequently, "behavioral techniques do not account for the students' past experience in solving problems, and the trainer is only concerned about

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***Many leaders recognize that learning based entirely on lecture is an outdated, inadequate model.***

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*Dr. Hundersmarck, a retired police officer, is the director of criminal science at the Indiana Institute of Technology.*



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the learning objectives, which are usually carried out in a standardized, linear manner.”<sup>5</sup> As such, students have little or no personal investment in what they learn nor is the instruction related to any of their past experiences or future goals.

Many leaders recognize that learning based entirely on lecture is an outdated, inadequate model. In recent years, some professions have moved toward a problem-based approach where learning is more applicable to problems encountered in particular fields. Similar to law enforcement, other professions must weigh the obligation to ensure accountability to legal requirements and standards with the duty of preparing individuals to perform complex duties. Academies should focus on encouraging critical-thinking skills using problem-based learning techniques more reflective of the complex nature of police work, such as changing laws, using technology, and responding to crises. Today, most would agree that a police officer’s duties have evolved from enforcer of laws to a problem solver in the community.<sup>6</sup>

Many proponents of problem-based learning stress the

concept of andragogy.<sup>7</sup> In an andragogical approach, instructors assume learners are self-directed. They adapt their teaching to facilitate the learner by using a variety of methods (problem solving and critical thinking) to encourage self-directed learning. By taking



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into account students’ experiences and strong identification in becoming a police officer, instructors help recruits transfer learning between the academy and field training.

The author determined that recruits with preacademy police

experience, such as Explorer, dispatcher, or other nonsworn service, judged classes in relation to their early contacts with police work.<sup>8</sup> Likewise, sponsored cadets evaluated what they learned by their growing knowledge of the practice of their future department. Recruits did not view classes dependent on lecture as relevant as subjects taught using scenario or hands-on training. They judged classes that approximated the nature of police work as more valuable learning opportunities and strongly identified with instruction that compared with the nature of real police work, using their past and projected experiences to gauge the value of their learning. Preacademy experiences had a substantial impact on an individual’s perception of learning in the academy.<sup>9</sup> The author clearly observed how classes develop a culture that influences how cadets perceive their training.<sup>10</sup>

Nonsponsored cadets without preacademy experience judged the relevance of classes by the attitudes and perceptions of classmates who had some knowledge of police work. Informal networks of information between students formed in the beginning weeks of the

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academy. A learner-centered approach uses the different experiences of the cadets as part of their instruction to facilitate meaningful learning, as opposed to having them rely on informal stories to familiarize themselves with police work.

All of the recruits the author interviewed judged the value of their learning based on whether the classes were “book learning” (dependent on lecture) or “real life” (hands-on classes).<sup>11</sup> One cadet noted, “The book learning—it’s a different atmosphere. You’re just reading and listening to somebody else talk.”<sup>12</sup> All cadets gave high ratings to scenario-based classes or those centered on such activities as shooting or defensive tactics. Another recruit stated, “The scenarios we did were 100 percent [better] and helped me so much more than the book stuff.”<sup>13</sup>

Cadets rated crime scene scenarios as the highest learning activity. Interestingly, these were held only one evening, students were not formally tested, and all were problem based as cadets went to different crime scenes role-playing as officers. Scenarios from the academy remained influential in the recruits’ minds into field training where they reported them as the only academy learning they referred to when conducting police work.

Recruits rated this type of training so highly because they identified it with actual police work; identity is a strong aspect of learning, especially for police officers. The author found that the tasks or standards recruits rated low (in the form of classroom lecture) did not always reflect the subject matter but, rather, the presentation and association of it with the classroom.

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***Learning comes through student interaction, as well as instructor input.***

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A constructivist approach, similar to andragogy, is learner centered, incorporates flexibility, and includes reciprocal teaching, peer collaboration, cognitive apprenticeships, problem-based instruction, Web quests, and anchored instruction that involve learning with others.<sup>14</sup> Police academies could easily adopt this approach because they use it in crime scene scenarios, and it serves as the primary means of instruction by field training officers.

Learning comes through student interaction, as well as

instructor input. In a constructivist approach, the instructor serves as a facilitator who guides individuals and groups in problem-solving and critical-thinking skills. Using scenarios as problem-solving devices relates academy learning with police work and appeals to cadets’ strong identity in becoming a police officer. The constructivist approach also uses the dynamic culture of each academy class and directs it toward learning as a collective. Learning must project forward from the academy to police work and, equally important, recruits must connect field training back to the academy.

### **Field Training**

The learning environment of field training varies significantly from the classroom. In most programs, probationary officers train for 16 weeks, rotate through at least three phases with as many different field training officers, and enter an evaluation phase. The program resembles an apprenticeship program wherein an officer slowly takes over the technical duties of policing while learning under the tutelage of a field training officer. Field training also is an enculturation process where new officers learn the norms and values of the department (both formal and informal) from veteran officers.<sup>15</sup>

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Thus, they move from a peripheral member of the organization to a full-time one.<sup>16</sup>

Field training bridges the gap between the theoretical emphasis of the police academy and the practical application of policing that occurs on the streets.<sup>17</sup> Such a mediated transitional learning activity involves engagement and discussion that actively relates learning from one exercise to another.<sup>18</sup> Academy learning should be aligned and coupled with field training to be truly effective.<sup>19</sup> Consequently, any change to the academy curriculum will not prove beneficial until actively mediated in the department.

Discourse analysis of the recorded training conversations revealed that probationary officers rarely talked about their academy instruction during field training. Further, field training officers did not query probationary ones about their academy learning. On the rare opportunities new officers discussed past learning, they talked about their preacademy police experiences as Explorers or security officers, rather than their academy learning.<sup>20</sup> Field training officers generally took the new officers' academy knowledge for granted and often did not know what the academy did or did not teach. During one

of the author's ride-alongs, the training officer revealed that he did not know his recruit lacked academy experience writing a traffic violation.

Some field training officers may negate or dismiss academy learning, making it difficult for new officers to publicly acknowledge and use their past academy experience. One field training officer stated that his

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***Law enforcement must overcome the inconsistent nature of learning between academy classes and field training....***

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approach to training recruits was to “assume he knows nothing about any procedures or police work whatsoever and teach him everything and, hopefully, what he learned in the academy, he can apply most of it here.”<sup>21</sup> This statement revealed an interesting phenomenon—prior learning was not formally mediated and probationary officers had to discreetly transfer training devoid of assistance from the field training officer. This proves a difficult task given

new officers' inclinations to disassociate themselves from the stigma of the police academy and become regarded as a member of the police department.

At times, the author did observe new officers using academy learning in field training. Although they actually used procedures and knowledge of laws they studied in the academy, they reluctantly admitted doing so. For example, the author interviewed a probationary officer about his approach to a burglar alarm using officer safety techniques. After some discussion, the officer hesitantly admitted that he had learned his strategy in the academy. Prior to this incident, he never had acknowledged using any academy learning.

### **An Alternative Model**

In 2003, the Office of Community Oriented Policing (COPS) designed and released the Police Training Officer (PTO) program which upgrades the standard model used by many agencies. The PTO program “incorporates contemporary methods in adult education and a version of the problem-based learning method of teaching adapted for police.”<sup>22</sup> It encourages critical-thinking skills more consistent with community-oriented policing. During each training phase,



probationary officers must resolve an ill-defined community-based concern using their own problem-solving skills, helping them transfer the process to other issues.<sup>23</sup>

The PTO model encourages problem solving as a means of field training, as opposed to a focus on individual tasks. It moves away from the behaviorist approach to learning that relies on replication of tasks to demonstrate learning. The implementation of a problem-based model demonstrates the need to change academy curriculum to a constructivist approach to mediate academy learning with field training.

## Conclusion

Law enforcement must overcome the inconsistent nature of learning between academy classes and field training, moving beyond an emphasis on separate learning models for training recruits. Agencies must bridge the learning at all levels of training by actively mediating it across the different contexts. Adopting a learner-centered constructivist approach in both the academy and field training will ensure that recruits engage in learning with which they identify. ♦

## Endnotes

<sup>1</sup> Michigan Commission on Law Enforcement Standards, 2002.

<sup>2</sup> M.L. Birzer and R.T. Tannehill, "A More Effective Training Approach For Contemporary Policing," *Police Quarterly* 4, no. 2 (2001): 233-252.

<sup>3</sup> R.N. Haarr, "The Making of a Community Police Officer: The Impact of Basic Training and Occupational Socialization on Police Recruits," *Police Quarterly* 4, no. 4 (2001): 402-433.

<sup>4</sup> Ibid., 405.

<sup>5</sup> Birzer and Tannehill, 237.

<sup>6</sup> C.A. Traut, S. Feimer, C.F. Emmert, K. Thom, "Law Enforcement Recruit Training at the State Level: An Evaluation," *Police Quarterly* 3, no. 3 (2000): 294-314.

<sup>7</sup> Birzer and Tannehill.

<sup>8</sup> S.F. Hundersmarck, "Between the Classroom and the Streets: The Transition from Police Academy Recruit to Police Officer," *Professional Studies Review* 2, no. 1 (2005): 85-98.

<sup>9</sup> Haarr.

<sup>10</sup> Haarr.

<sup>11</sup> S.F. Hundersmarck, "Sixteen Weeks and a Year: The Generalization of Knowledge and Identity Between the Police Academy and Police Field Training," (PhD diss., Michigan State University, 2004).

<sup>12</sup> Ibid., 138.

<sup>13</sup> Ibid., 136.

<sup>14</sup> D.H. Shunk, *Learning Theories: An Educational Perspective* (Upper Saddle River, NJ: Merrill, 2000).

<sup>15</sup> Hundersmarck, 2004; Haarr.

<sup>16</sup> J. Lave and E. Wenger, *Situated Learning and Legitimate Peripheral Participation* (Cambridge University Press, 1991).

<sup>17</sup> Clark, 1995.

<sup>18</sup> Hundersmarck, 2004; Haarr.

<sup>19</sup> Haarr.

<sup>20</sup> Hundersmarck, 2004.

<sup>21</sup> Hundersmarck, 2004.

<sup>22</sup> U.S. Department of Justice, Office of Community Oriented Policing Services, *PTO: An Overview and Introduction* (Washington, DC, 2003).

<sup>23</sup> Ibid.

## Wanted: Notable Speeches

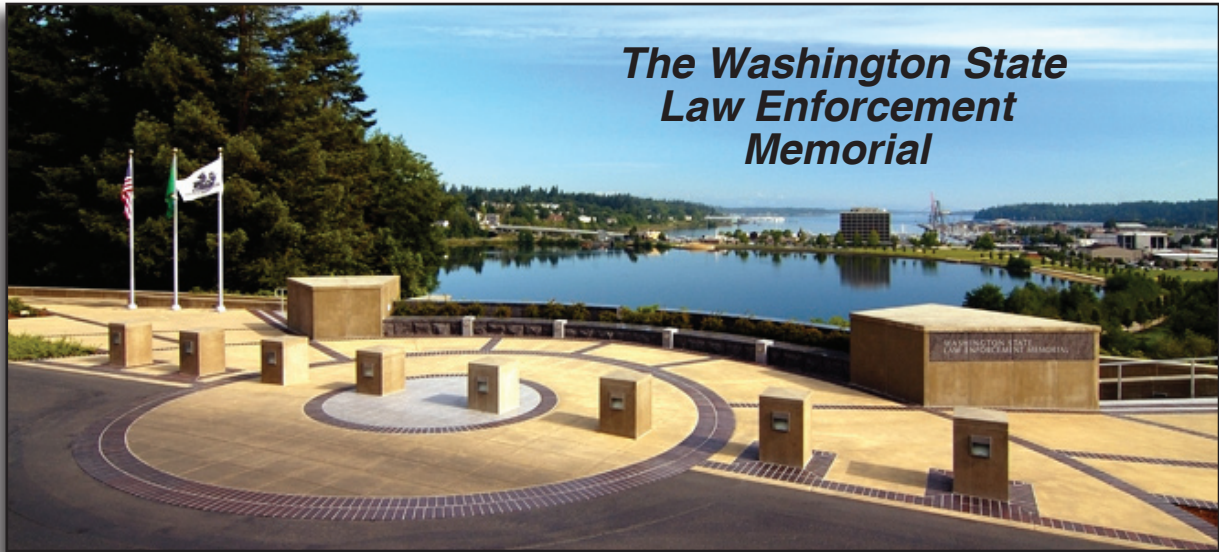
**T**he *FBI Law Enforcement Bulletin* seeks transcripts of presentations made by criminal justice professionals for its Notable Speech department. Anyone who has delivered a speech recently and would like to share the information with a wider audience may submit a transcript of the presentation to the *Bulletin* for consideration.

As with article submissions, the *Bulletin* staff will edit the speech for length and clarity but, realizing that the information was presented orally, maintain as much of the original flavor as possible. Presenters should submit their transcripts typed and double-spaced on 8 1/2- by 11-inch white paper with all pages numbered. When possible, an electronic version of the transcript saved on computer disk should accompany the document. Send the material to:

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## Bulletin Honors



**T**he Washington State Law Enforcement Memorial began as a dream in 1995 when a number of officers and survivors of line-of-duty deaths traveled to Washington, D.C., to visit the National Law Enforcement Officers Memorial. They recognized the need for a memorial honoring the state of Washington's heroes who made the ultimate sacrifice.

Located on the Washington State Capitol campus in the shadow of the Temple of Justice and looking north to Heritage Park and Puget Sound, the memorial serves as a lasting tribute to law enforcement officers who gave their lives in the line of duty. It offers a place for survivors to remember their loved ones and the public to reflect on the sacrifices made for their protection and to marvel at the beauty of the setting.

With the engraving of the names of Washington's fallen officers, the memorial has taken on a life of its own. Each name represents a person who lived, who had family and friends, and who protected the communities in which they served. It was their duty to serve; it is ours to remember.



## Bulletin Notes

Law enforcement officers are challenged daily in the performance of their duties; they face each challenge freely and unselfishly while answering the call to duty. In certain instances, their actions warrant special attention from their respective departments. The *Bulletin* also wants to recognize those situations that transcend the normal rigors of the law enforcement profession.



Deputy Weisse

While patrolling a rural area early one morning, Deputy Matthew Weisse of the Winnebago County, Wisconsin, Sheriff's Office detected the smell of smoke. Quickly, he located the source of the odor and found a small tool shed and some wood pallets on fire. Strong winds were blowing embers from the flames onto the nearby residence and some trees. While knocking on the door of the house, Deputy Weisse saw fire underneath the wood deck that he was standing on. Immediately, he went to another entrance and determined that the inside of the home was filling with smoke. A woman came to him, but did not want to leave the house without shoes or her dogs. When she opened the door, one dog ran outside; Deputy Weisse grabbed the other animal and helped the resident to safety.



Sergeant Leonard



Officer Campbell

Sergeant Jackson Leonard, Jr., and Officer Ronald Campbell II of the Fairport Harbor, Ohio, Police Department responded to a call of a suicide attempt. Upon their arrival at the home, they heard a vehicle operating inside the closed garage. Immediately, they gained access by going through the residence. The victim was sitting in his truck with a garden hose running from the exhaust into the passenger compartment. The officers quickly removed the hose, turned off the vehicle, and carried the individual—close to death because of the fumes—outside to a waiting rescue squad. The actions of Sergeant Leonard and Officer Campbell saved the life of the victim.

Nominations for the **Bulletin Notes** should be based on either the rescue of one or more citizens or arrest(s) made at unusual risk to an officer's safety. Submissions should include a short write-up (maximum of 250 words), a separate photograph of each nominee, and a letter from the department's ranking officer endorsing the nomination. Submissions should be sent to the Editor, *FBI Law Enforcement Bulletin*, FBI Academy, Hall of Honor, Quantico, VA 22135.



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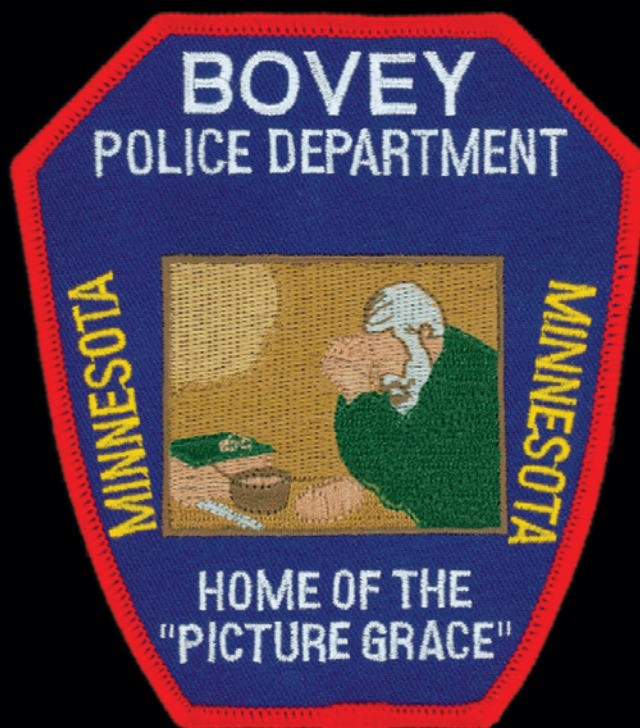
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## Patch Call



The city of Cambridge, Maryland, was founded in 1684. The patch of its police department includes pictures of a barn and silo, representing the agricultural industry; gears, depicting the commercial industry; and sail workboats, symbolizing the water industry.



The patch of the Bovey, Minnesota, Police Department features a depiction of the world-famous picture "GRACE." Created in the small city in 1918, the photograph features a bearded, saintly old man with head bowed in a mealtime prayer of thanksgiving.